Introduction:
Normative and Conceptual Dimensions of the International Climate Negotiations

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The human costs of climate change are now widespread and severe. Communities across the globe are facing adverse climate impacts—including food and water insecurity, increased prevalence of tropical diseases, and the loss of lives and livelihoods—that will only escalate along with escalating global temperatures. Moreover, many regions that are particularly vulnerable to climate change—from Haiti to the Philippines and from Bangladesh to Sudan—are also relatively low emitters of greenhouse gases.

Calls for an international response to climate change that is not only effective but also sensitive to moral concerns are therefore reaching a crescendo. For example, the 2013 U.N. climate negotiations in Warsaw, which commenced just days after the devastating Typhoon Haiyan made landfall in the Philippines, saw a consuming focus on the issue of “loss and damage”—which refers to repairable damage or permanent loss due to the impacts of climate change—as well as demands for financial assistance from industrialized countries. Concerns about loss and damage and concerns about climate finance continued unabated during the 2014 climate negotiations in Lima and promise to continue as the parties to the U.N. Framework Convention on Climate Change, or UNFCCC, work toward striking an international climate agreement during the 2015 negotiations in Paris.

At the same time, the normative and conceptual landscapes of the negotiations are shifting and evolving. Developing countries such as China, India, Brazil, and Indonesia are now among the world’s top greenhouse gas emitters, and there is growing recognition that the UNFCCC’s categorization of countries into Annex I parties and non-Annex I parties—according to their states of development as of 1992—is too outmoded to serve as an organizing principle for a new climate agreement. China and the U.S., which have been notorious antagonists in the negotiations, recently came forward with a historic joint announcement on new greenhouse gas mitigation targets. Parties such as Mexico, Peru, and Colombia are aligning themselves with parties such as Japan, the E.U., and the U.S. as contributors of international climate finance and have made pledges to the nascent Green Climate Fund, which aims to help developing countries transition to pathways of low-carbon and climate-resilient growth. And all parties to the UNFCCC are currently grappling with how to represent concepts such as national responsibility and capability in the 2015 agreement.

There is therefore a great need for philosophical analysis and the clarity it provides as we head toward Paris and aim for a durable, fair, and ambitious new climate regime. This volume is part of a growing body of research that engages with the normative and conceptual dimensions of the international climate negotiations and has the potential to shape a more reflective and successful climate policy.

In this volume, each author draws substantive conclusions that arise in the context of a philosophical challenge, a worry about some feature of the negotiations that calls for detailed study. For example, we might wonder about the internal structure of the UNFCCC negotiation process, which requires consensus among the parties. Some have suggested that progress is largely made not in public
negotiations, but in informal conversations and backroom meetings among key players. While there are practical problems with generating unanimity, especially when there is need for quick action, the drive toward agreement through unofficial channels is worrying. Jesse Vogel examines the methodological problems associated with the reliance of the negotiations on consensus and finds that the UNFCCC procedure is inefficient and unjust. He concludes that a majoritarian deliberative model would better serve the UNFCCC and better serve our hopes for a reasonable and legitimate climate agreement.

We might also wonder about the way in which we conceptualize impending harm. The challenges facing humanity are clearly grave, but their precise nature is highly unknown. Indeed, this lack of specific characterization of impending harms is one of the features of climate change that makes its moral character perplexing. We need some characterization of the risk we face, and some way of understanding how we might coherently address that risk, practically, conceptually, and morally. However, risk also provides an opportunity for reframing one of the thorniest issues of climate policy: how we distribute the burdens associated with climate change. Idil Boran argues that we should frame our burden distribution process in terms of the sharing of risk. By framing the distribution of burdens, especially in the context of the Warsaw International Mechanism on Loss and Damage, in terms of risk, Boran argues we will be better able to absorb the costs of climate impacts, better able to satisfy important climate justice concerns, and better able to provide an efficient deliberative mechanism in the policy realm.

Last, we might wonder about the content of the agreements made: There is a commonly assumed need to balance our response to climate change in such a way that those who are vulnerable to the ravages of climate change are given some provision for dealing with it while also holding accountable those who, historically, have generated more than their fair share of emissions. Two different forms of responsibility are at play: distributive responsibility, according to which we are responsible for distributing goods, services, and opportunities according to some characterized need, and corrective responsibility, according to which we hold accountable those who have emitted in the past. Kenneth Shockley considers the different ways we might integrate equity into the loss and damage protocols. Different ways of thinking about equity map closely to distributive and corrective responsibility. Balancing the retrospective nature of corrective responsibility against the prospective nature of distributive responsibility provides an interesting challenge. However, the need to address future harms, and have policy that is capable of mitigating against those harms in light of a highly uncertain future, indicates we should focus less on correcting for past harms and more on preparing for harms to come. If we think of equity in terms of opportunities and capabilities, Shockley argues, we can generate a framework for dealing with loss and damage that is forward directed and focused on our responsibility to mitigate the harms faced by the most vulnerable while still capable of integrating the differential responsibilities accumulated by historically high emitters.

Clarifying the process, the way we confront evidence, and the way we address the harms and responsibilities of climate change should provide much needed clarity to several important and interrelated aspects of the climate negotiation process. It is our hope that these essays contribute to the conversation and help us to generate a response to climate change that is fair to all and unacceptable to none. As we struggle toward Paris and a successor to the Kyoto Protocol, we can only hope that theoretical clarification will contribute to practical success.

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